FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO.194 OF 2006
WITH CRI. BAIL APPLICATION NO.88 OF 2006

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.S.G.Thorat for the Applicant.
Mr.S.S.Tatkare, APP. for the State.

CORAM : R.S. MOHITE,J.
DATED : 27/4/2006.

P.C.

1. Heard Advocate for the applicant.

2. This revision application impugns two concurrent findings of the lower courts convicting the applicant for offences punishable under Section-279,304A,337,338 of the I.P.C. read with 184 and 181 3(1) of the Motor Vehicles Act. The maximum sentence imposed by the J.M.F.C. was of 2 years and fine of Rs.3900/-. The Sessions Court while confirming the conviction partly allowed the appeal and confirmed the conviction U/s.279, 304- A of the

I.P.C. and U/s.184, 3(1) punishable under Section 181 of the Motor Vehicles Act. The conviction U/s.184 read with 181 of the Motor Vehicles Act was confirmed and the sentence reduced to three months. The total fine imposed was Rs.3000/-. The Sessions Court acquitted the accused for the offences punishable U/s. offences U/s.337 and 338 of the I.P.C. Being aggrieved by the judgment of the Sessions Court, the present revision is filed in this court. The entire evidence is annexed to the application and I have perused the same. The evidence of P.W.No.5 is admittedly the evidence of an independent witness. P.W.No.5 was riding a motorcycle. The tempo trax which the accused was driving over-took him and he saw that tempo trax dash against the deceased, causing grievous injuries. In his examination-in-chief, this witness has stated that the vehicle was driven by the accused in high speed and on the wrong side of the road. He has also identified the

accused in the court. There is nothing elicited in the cross examination of this witness. The version of this witness is supported by three other eye witnesses and corroborated by the medical evidence. The Sessions Court has taken a lenient view. In my view, not a fit case for interference. Hence, revision is rejected.

(R.S. MOHITE, J.)

CRI. BAIL APPLICATION NO.88/2006

1. In view of the order passed in main revision application No.194/2006, this application does not survive. Accordingly, the same is dismissed.

(R. S. MOHITE, J.)